

CITY PLANNING COMMISSION AGENDA
FEBRUARY 21, 2019

STAFF: MATTHEW FITZSIMMONS

FILE NO(S):

A. - CPC ZC 18-00153 – QUASI-JUDICIAL

B. - CPC DP 18-00154 – QUASI-JUDICIAL

C. - CPC R 18-00156 – QUASI-JUDICIAL

PROJECT: 629 N. CORONA STREET

OWNER: ET INVESTMENTS GROUP LLC

DEVELOPER: HOOTAN EMAMI

CONSULTANT: TERRA NOVA



PROJECT SUMMARY:

1. Project Description: The proposed 4-plex requires the following four applications.
 - a. Zone Change: The zone change would rezone the property from R-4 / PUD (Multi-Family Residential and Planned Unit Development) to just R-4 (Multi-Family Residential).
 - b. Development Plan: Proposes the construction of a new 4-unit residential structure (**FIGURE 1**).
 - c. Administrative Relief: Proposes allowing 40% lot coverage where 35% is the maximum.

- d. Waiver of Replat: To legalize the existing legal description; will be reviewed administratively.
2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: **Approval of the applications, subject to technical modifications.**

BACKGROUND:

1. Site Address: 629 N. Corona Street
2. Existing Zoning/Land Use: R-4 (Multi-Family Residential) PUD (Plan Unit Development) **(FIGURE 3)**
3. Surrounding Zoning/Land Use: North: R-4 / Single-Family Residential
South: PUD / Single-Family Residential
East: R-4 / Single Family-Residential & Multi-Family Residential
West: R-2 & R-4 / Single-Family Residential
4. Annexation April 19th 1871
5. Master Plan/Designated Master Plan Land Use: None
6. Subdivision: Addition No. 1 COS & Corona Park Sub
7. Zoning Enforcement Action: None
8. Physical Characteristics: Vacant 7,950 square foot lot with a double front on Corona St. and Royer St.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Postcards were sent out to the owners of 316 properties within 1,000 feet of the site. In addition, posters were placed along Royer and Corona for the mandatory 10 days. The neighborhood responded with five (5) letters, one in support and four opposed. The opposition letters raised the following issues: Density, renters, parking, green space, zone change, neighborhood character, lot coverage.

The applicant has replied to each of these emails. **(FIGURE 4)**

- Density: The density of a 4-plex is allowed in an R-4 zone.
- Renters: Zoning and Planning Commission does not regulate if a building is for rent or sale
- Parking: The project is meeting parking code requirements
- Green Space: The project will meet landscape requirements
- Zone Change: Most stakeholders justifiably did not understand why the zone change needed to occur for any development to happen and that the zone is to be changed to what most of the neighborhood is zoned, R-4. Once they understood the issue they did not have issues with the Zone Change.
- Neighborhood Character: This building is bigger than those immediately adjacent to the structure, but there are other large multi-unit buildings in the neighborhood, but the proposed building divides the 4-Plex to have two units facing Corona Street and two facing Royer Street, creating an appearance of a duplex.
- Lot Coverage: It is within Staff's ability to grant up to 15% administrative relief. It would not change the overall massing much, but it will create a more usable space that may attract more families to this family friendly neighborhood.

Staff determined a neighborhood meeting was not warranted for this project.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

The applicant has submitted plans to construct a 3-story 4-Plex on a 7,950 square foot lot which is zoned R-4 / PUD (Multi-Family Residential and Planned Unit Development), and is located at 629 N. Corona Street. This property is found in a mostly R-4 zoned neighborhood with an R-2 zoned block on the west side of Corona Street. Additionally, there are a few small PUD developments in the area, including the four lots just to the south of this property (See **FIGURE**

3). Most of the housing stock of the neighborhood is single family houses, but there are a few multi-family buildings within a short distance on Royer and Corona Street.

To allow the development as planned, the applicant was required to submit four applications: a Zone Change, a Development Plan, Administrative Relief, and a Waiver of Replat. The zone change was required by code because a lot can legally only have one zone. The Development Plan illustrates the planned 4-Plex. The Administrative Relief was requested to allow a 5% increase in overall lot coverage to 40% and a Waiver of Replat, which will be administratively reviewed and approved. The following are the descriptions of the three applications that require action by the Planning Commission.

a. Zone Change:

Currently 629 N. Corona Street has two zones associated with it: R-4 and PUD. To be developed, a lot must possess one zone in which to guide development. Therefore, any lot with multiple zones must request a zone change to bring it into compliance before a development plan can be approved. Originally the subject property was zoned R-4 which allows multi-family developments such as a 4-plex in the zone. In 1983 the parcel immediately south was rezoned to PUD. Shortly thereafter, a three foot (3') wide strip of land was sold to a previous owner of the subject property. The zone for that strip of land stayed the same as the seller's property (PUD). Since no redevelopment occurred, the newly-acquired strip of land (450 square feet) was never changed to match the R-4 Zone. Now that the land is being redeveloped, this Zone Change is required.

Per City Code Section 7.5.603.B the three criteria for a Zone Change are as follows:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan.
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended to be considered consistent with a zone change request.

Planning Staff finds that this zone change meets the three criteria. Since the zone change will convert the whole lot back to the original zoning designation, which is consistent with the majority of the neighborhood, it will only allow the type and density of development to which the rest of the R-4 zoned neighborhood is entitled. This zone change will also allow this vacant lot to be developed into residential units to help increase the vitality of this neighborhood.

The newly-adopted comprehensive plan supports infill development which approving this zone change would allow. The Comprehensive Plan (Plan COS) is discussed in detail later in this description. This neighborhood does not have a master plan to evaluate the third criteria.

b. Development Plan:

The development plan illustrates the dimensions and massing of the proposed 4-plex. The developer has designed the 4-plex to take advantage of this lot, which has a street on both the east and west sides of the property. Essentially, this development is designed to function as two duplexes that share a common wall in the back. Each street is treated as the front of the building and therefore the 4-plex has two facades. Two units will face Corona Street and two will face Royer Street. This configuration has a couple of advantages. First, the impact from increased traffic to a 4-Plex will be distributed between the two streets instead of one. Second, even though the proposed project has met the parking requirement on site and in front of the units, this two-façade configuration will aid in dispersing any additional street parking that is needed, reducing

overall impact. Utilizing the deep lots between two streets has been a design challenge for this block since the first houses were built over 120 years ago. Royer Street has been relegated to more of an alleyway than a full-fledged street. Many garages face Royer Street with 6' high fences erected up to the lot line. The proposed development will strengthen Royer Street's curb appeal and add value to those homes on the eastern side, many of which face garages instead of houses across the street.

The proposed plan meets all R-4 standards except for lot coverage, which will be discussed in the Administrative Relief section below. R-4 is classified as a multi-family zone that allows much more residential density than R-2. Working mostly within the standards, the architect was able to design a building that helps meet the growing needs of the City. The height of the building is proposed at 34', 9" where 40' is allowed. All of the setbacks meet the R-4 standards and exceed the setback distance of three out of four of the adjacent neighbors. The R-4 standards also allow less lot square footage per unit as the amount of floors increase (1-3 floors). This promotes building taller to allow for greater density. For example, a one-story building would require 2,500 square feet per unit, a two-story requires 2,000 square feet and a three-story such as this project requires only 1,500 square feet per unit. At three stories tall, the proposed four units require 6,000 square feet of lot space, which is well under the 7,950 square feet of this lot.

Staff has found that this project meets the twelve Development Plan Criteria. The twelve criteria are as follows:

1. Will the project design be harmonious with the surrounding land uses and neighborhood?

The massing and scale is larger than the immediate surrounding neighbors, but there are a few structures in the neighborhood that are multi-unit residential and match or exceed the size of this proposed building in size and scale (such as 615 N. Corona Street and 637 N. Royer Street). The building is designed in a contemporary style that will complement, but not emulate, the classic Victorian houses found in the neighborhood. The land use will remain residential, the same as the previous structure and the surrounding blocks.

2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?

As stated in criteria #1, the proposed land use is not only compatible with the surrounding neighbors; it is also the same use: residential. These 2-3 bedroom apartments will be roughly the same internal square footage as the surrounding homes. The streets will not be overburdened due to three additional dwelling units than there were previously. Developments like this one close to downtown will actually reduce traffic in the City by allowing more people to live close to where they work, reducing the vehicle miles traveled per person. Small developments like this also disperse any increase in local traffic by only increasing density incrementally as opposed to large apartment complexes. The dual façade design divides the traffic between Royer Street and Corona Street. This incremental increase in density will not have a burden on utilities, parks or schools.

3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?

The designer has pulled the façade of the 4-plex back further than the setback standards require in attempt to lessen the impact of the scale of the building compared with the surrounding structures. Most of the height and bulk is centered on the property allowing the structure closest to the streets to be only one and two stories tall.

4. Will landscaping, berms, fences and or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development?

Since the development is residential, is being designed to be aesthetically pleasing, and privacy fences lie between properties to the north and south, there should not be any issues between the proposed building and surrounding properties.

5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?

The amount of traffic produced by this development – about four cars on each street, should not be a noticeable increase for the surrounding neighborhood, especially since the traffic will be divided between two streets.

6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?

Yes, all driveways will allow a vehicle to fully turn around before entering the street, reducing the chances of collisions. All the streets surrounding the project are on a grid system which makes travel in and around the site easy, with no bottlenecks that can result in traffic backups.

7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?

The driveway does not connect with the other side, eliminating the possibility of any cut through. The local streets are not being altered with this development.

8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?

Yes, the garages will house six of the eight required parking spaces, with the last two on the street in front of the project. The driveway will allow full turn around within the property as required by code.

9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicle for the handicapped be accommodated in the project design?

This project will have accessible features to accommodate people with special needs.

10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?

The Applicant has worked with the landscape planner to help minimize the impervious asphalt surface, while still abiding by code which requires adequate room to park and turn vehicles around on site.

11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?

Yes, detached sidewalks are designed for both Royer and Corona Streets with landscaping planned to enhance the pedestrian experience.

12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design?

No, this project is located near the urban core which is void of natural features listed above.

c. Administrative Relief:

The only R-4 standard this design does not meet is lot coverage. The current design exceeds the 35% lot coverage maximum, but it is within the 15% Staff is allowed to grant with an Administrative Relief. The applicant is requesting the full 15% relief to allow the total lot coverage allowed to be 40%. Staff believes that the four Administrative Relief criteria have been met. Plan COS, the City's Comprehensive Plan, supports relief like this one to allow more density in infill developments. These goals and strategies are outlined below.

Increasing the lot coverage allows the building to have larger garages to allow storage of bikes and other sporting gear inside.

2. In summation, Staff believes this project will be a beneficial addition to the neighborhood and City. The Zone Change and Administrative Relief that are requested have been justified and should be granted. Conformance with the City Comprehensive Plan: (FIGURE 5)
Plan COS – Colorado Spring's Comprehensive Plan (adopted 2019)

- a. Plan COS strongly supports infill projects like this one. The Vibrant Neighborhood chapter outlines Goals, Policies and Strategies to encourage more vibrant neighborhoods throughout the City. The following are the goals, policies and strategies that relate to this project:

Housing for All

Goal VN-2: Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs.

Strategy VN-2.A-3: Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels.

This development will increase the diversity of housing options and price points in the area. Currently Colorado Springs is having a housing crisis when it comes to rental properties in every price point. A 4-plex like this project will allow greater diversity of housing options in a more traditional neighborhood. The developer will be asking market rate rent for all of the units and will not include subsidized housing.

Strategy VN-2.A-4: Allow for zoning residential bonuses that result in the provision of additional attainable housing, such as increased heights or densities.

This strategy supports the Administrative Relief to allow increased density and provide for more opportunities to those who can afford to buy market-rate housing.

Strategy VN-3.A-1: Support a variety of approaches to encourage sustainable investment in and maintenance of established neighborhoods including strategic and targeted use of special districts, homeowners associations, and grant funding.

By allowing infill developments like this to be built, there will be more reinvestment in neighborhoods that are not meeting their full potential.

Strategy VN-3.A-4: Modify City Code and create incentives to encourage redevelopment of underperforming buildings to include higher-density housing, mixed-use, civic services, gathering areas, and additional employment opportunities.

This project embodies what this strategy is calling for. The land is currently vacant, but the house that was on this land before was dilapidated and the property was used as a storage yard for the previous owner. By redeveloping this eyesore property, it may spur other similar infill developments that will further enhance the neighborhood and elevate property values. The code will not be modified, but relief should be given to allow this development as planned.

Strategy VN-3.E-3: Though a combination of Zoning Code changes and development review decisions, encourage and support flexible site and building designs and residential densities that are adaptable to the specific site.

This strategy encourages Planning Staff, Planning Commission and City Council to support projects like this.

3. Conformance with the Area's Master Plan: Area does not have a Master Plan.

STAFF RECOMMENDATION:

Item No: CPC ZC 18-00153

Approve the Zone Change to the 629 N. Corona St. Plan, based upon the finding that the application complies with the Zoning Change review criteria in City Code Section 7.5.603.B, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications:

1. Please provide a written legal description on an 8-1/2"x11" sheet.
2. Please label the top of the page "Exhibit A - Rezone Legal Description"
3. The exhibit should only be detailing the area that is being rezoned, so it clear that it is only the southern 3'. The bearings and distances should just be around that portion.
4. Please add "Exhibit B - Rezone Exhibit" at the top of the exhibit.
5. Please add "CPC ZC 18-00153" in the lower right hand corner of both sheets.

Item No: CPC DP 18-00154

Approve the Development Plan for 629 N. Corona St., based upon the finding that the application complies with the Development Plan review criteria in City Code Section 7.5.502.D.1, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications:

1. Submit Mineral Estate Form
2. Update the sheet index numbering per request.
3. Create area for LUR approval stamp on each page
4. Include maintenance statement for common areas
5. Indicate the dimensions for the area between the curb and sidewalk
6. Indicate the distance between property line and back of the sidewalk
7. Show pavement materials on site plan
8. Indicate if fences are new or old and will remain
9. Indicate Non-Use Variance setbacks, code standard and proposed.
10. Show book and page and/or reception number of the recorded plat
11. Show final lot coverage percent for Administrative Relief
12. Alternative Compliance Application for landscape buffer

13. Submit Soils analysis report
14. Confirm the landscape setback linear footage for N. Royer Ave
15. provide the plant quantities in the plant schedule per the proposed landscape plan
16. Add the plant (JA - north of the building)- to the plant list, confirm the total number (callout shows 14 and only three symbols)
17. Add the City File number to each landscape sheet
18. Please revise the file no. CPC DP (not PFP) 18-00154
19. Please add "CPC WR 18-00155" at the end of the note
20. Please revise the floodplain statement to the recently approved revision to the effective date and panel number.
21. Please submit the final signed/sealed copies of the Drainage Letter
22. The proposed project may require a separate Grading, Erosion, and Stormwater Quality Control Plan.
23. Please submit a hydraulic grade line (HGL) form
24. Submit a wastewater master facility form (WWMFF)
25. The following utility lines need to be clearer: water service lines, wastewater service, Fire service line, gas line service.

Item No: CPC R 18-00156

Approve the Administrative Relief for the 629 N. Corona St. Plan, based upon the finding that the application complies with the Administrative Relief review criteria in City Code Section 7.5.1102.